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## **BOARD OF SELECTMEN MEETING MINUTES**

**February 2, 2010**

The Board of Selectmen met in the Joseph F. Bilotta Meeting Room, Town Hall as scheduled with Thomas A. Alonzo, Paula Bertram, Steven M. deBettencourt, Thomas Mason, David Matthews and Kerry Speidel, Town Manager present. Regular Meeting opened at 6:15 PM with a motion to go into Executive Session for the purpose to consider the purchase, exchange, lease or value of real property. A roll call vote was taken; Tom Alonzo, yes; Paula Bertram, yes; Steven M. deBettencourt, yes; Tom Mason, yes; and David Matthews, yes. The chair noted that an open meeting may have a detrimental effect on the negotiation position of the governmental body. They will be returning to Regular Session. At 7:04 PM Regular Session re-convened with the Pledge of Allegiance.

### **EXECUTIVE SESSION @ 6:00 PM**

1. M.G.L. Chapter 39§ 23B (6)

### **PUBLIC COMMENT**

None

### **ANNOUNCEMENTS**

Tom announced that the Lions Club is in need of food for their food pantry. In December the Lions helped 53 families and 63 in January. Non perishable food is needed and can be dropped off at the Public Safety Building the first Friday of the month; but will accept food anytime at Public Safety Building.

Dave Matthews wanted to say a special thank you to Kathy Clark for her hard work in trying to get the legislature to pass the article giving towns and cities the right to have their own Municipal Electric Department. She has worked tirelessly in this effort.

### **APPOINTMENTS**

1. **7:10 PM – Michelle Belleza, Teen Center – Re: Boys & Girls Club Recognition** / Tabled

2. **7:15 PM – John Mara & Amy Sadkin - Lunenburg Library State Aid** – Library Trustee, John Mara came before the Board to voice concern about their budget and being certified for next year. He said they currently have certification for the remainder of the fiscal year, but with the cut at the Special Town Meeting they are below the actual limit that they are supposed to have. At town meeting they were cut \$27,000 and this cut forced them to close the library earlier on Tuesday and Wednesday evenings. For fiscal year 2011 they will need to increase their budget to \$329,000 to avoid risking decertification. Tom Alonzo said it's possible that state officials will relax the standards for certification in the future because of the financial troubles cities and towns are going through.

Amy, Library Director notified the Board that she sent out a town wide notice about filling out an online Community Survey (<http://www.surveymonkey.com/s/5WT78CX>). This survey will give her valuable information to plan for the future and hopes that everyone will participate.

Mr. Mara also notified the Board that Michael J. Kelly resigned from the Library Board of Trustees. They will now be looking for a replacement for him until the next town election.

3. **7:30 PM – One Day All Alcoholic Liquor License Request-Rhonda Newman 86 Lakefront Avenue** – the Board unanimously approved the request for a one day all alcoholic license to Rhonda Newman. This is a benefit that will be held on May 15<sup>th</sup> from 12:00 PM – 8:00 PM to help a friend who is fighting cancer. Chief Bourgeois submitted a letter stating that she has had these in the past and there have been no problems. His only concern was how she would monitor the distribution of alcohol to adults and how they plan to keep it on the premise. Rhonda says she is hiring a police officer as well as friends who will be monitoring the comings and goings of her guests.

- 4, **Jerry Hyde/Digitizing Lunenburg's Microfilm** – Jerry updated the Board on the progress being made to digitalize Lunenburg's microfilm records. He has been working to preserve Lunenburg's historical records, as the state requires recording everything you do since the establishment of the town. Right now the records are stored in filing

cabinets and are deteriorating. The digitization process would only be to preserve historic records and not replace them as the State does not recognize digitization as official documents. The cost to do this is roughly \$2500.00. Tom said to continue working with the Historical Commission and the Town Clerk's Office as she is the keeper of the records.

## **CURRENT BUSINESS**

### **1. Town Manager Updates**

- Kerry informed the Board that the Board of Health would be holding an H1N1 Clinic at the Ritter Memorial Building on February 15<sup>th</sup> from 4:00 PM – 7:00 PM.
- received a copy from the Mass Department of Energy Resources regarding the Municipal Utility Study Technical Report which Section 107 of the Green Communities Act of July 12, 2008 requires the "DOER" to conduct a study that includes an examination of various impacts of municipalization of electric utility systems which are primarily owned and operated by private investor-owned utilities.
- has been in touch with Senator Flanagan, Representative Benson, Representative Dinatale and Representative Rosa seeking a letter of support for the Summer Street project. Will contact Representative John W. Olver's office to see what federal funding is available as this is the only way this project can be funded.

### **2. Minutes – 12/15/09 Executive Session & 01/19/10 Regular Minutes - *signed***

**Warrants-** W 16P 10 02/05/10 \$661,254.44 & W#4210 002/02/10 \$331,078.69 *signed*

**Action File Issues** – Tom said that trash at Lakefront is still an issue and asked Kerry what has been done. Kerry stated that Linda researched the issue with Waste Management regarding the barrels not being emptied regularly. They are not part of our regular contract and this is being done by them as a community service at the request of citizens of that area. The emptying is done once a month and if it is not accessible because of snow they will not pick up, and if trash is left outside of the barrels they will not pick it up. Kerry stated that when we are not paying for the service it is difficult to ask them to pick up more often. With the budget constraints it doesn't make sense to add more to the budget and would be opening the door to others wanting trash barrels in their area. She suggested removing the barrels and posting a policy that whatever trash they take in they take out with them. Steve doesn't see the sense in removing the barrels when all it takes is a call to notify the dispatcher that the barrels are overflowing.

### **3. Chapter 61A Padula – Shirley Road Realty Trust** – notice of intent to sell a portion of land located off of Leominster-Shirley Road to Powell Real Estate for a sum of \$600,000 was put before the Board, a letter was sent in January. Kerry sent a letter to both the Planning Board and Conservation Commission for their input on the land, and neither the Planning Board or the Conservation Commission expressed interest in this property. Mike Padula, owner of the property, said that it was brought before Planning Board and an ANR (Approval Not Required) plan has been signed and recorded at the Registry of Deeds. Tom Alonzo would like written opinions from both Boards before it is put out to vote, but Paula felt waiting another week to receive the written decision wasn't necessary as Kerry said they weren't interested in the land. Paula made a motion to vote not to execute their right of first refusal to purchase and Tom Mason seconded. A roll call vote was taken; Paula; yes, Tom Mason; yes, Steve deBettencourt; yes, David Matthews; yes -Tom Alonzo abstained.

## **OLD BUSINESS**

### **1. Committee Updates** – Dave gave an update on the Capital Planning Committee and said it is a work in progress. They are prioritizing but haven't identified sources of funding yet. Total request amount from the various departments is \$884,000. Some of the money is earmarked for the parking lot at Council on Aging, radio equipment for Fire Department (have applied for a grant), cruiser for the Police Department. Second priority: update the bathrooms at the elementary school, replacement of temporary overhead power line, sub-panels and installation of additional outlets in classrooms (the temporary line was put in during 2002 and additional outlets are needed to support technology needs)

Paula said that at the Planning Board meeting she attended an application for a Special Permit and Development Plan Review for a new use at 198 Summer Street was submitted by United Solutions. The company is purchasing the land and structures from Dietrich Associates. The Leominster site will transport plastic pellets to the property by rail car. The pellets will be stored in the cars until transported to the manufacturing facilities.

The Planning Board would like to review the correspondence from Town Counsel regarding the recommendation by them on the issue of Special Municipal Employees and then Planning Board will make a recommendation to the Selectmen.

2. **Tri-town Landing Easements** – William Caselden, of Great Bridge Properties LLC, Manchester NH was on hand for the signing along with Marion Benson, Planning Board Chair. Town Meeting approved the easements and with the signing the construction would be able to begin within the next two weeks. Easement was signed by the Selectmen and notarized.
3. **License Commission Regulations/Policies & Procedures** – Kerry said that Town Counsel feels that it would be inappropriate for the Licensing Commission to have an advertisement period. He did not provide any specific case law for this but said they would not advise establishing an advertisement policy. Dave and Tom both felt that they should go against Town Counsel's advise and advertise for 30 days. Other members of the Board disagreed and stated that they didn't think that the Board/Licensing Authority should take on this burden and that if people are interested they will make it their business to find out what is available.
4. **Special Municipal Employee Designations/Planning Board Consultants** – tabled until next week to make a recommendation so all members of the Planning Board can review the latest correspondence from town counsel. According to Paula, she was at their last meeting and some of the members mentioned they hadn't reviewed the letter and wanted to do so before making a recommendation.

Being no further business the Board voted unanimously to adjourn Regular Session at 9:00 PM.

*Respectfully submitted,*

*Linda H. Douglas, Administrative Assistant  
Board of Selectmen*